

Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Interim 2000 Harvest Specifications for Gulf of Alaska Groundfish", received January 10, 2000; to the Committee on Commerce, Science, and Transportation.

EC-6993. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone off Alaska; Permit Requirements for Vessels, Processors, and Cooperatives Wishing to Participate in the Bering Sea and Aleutian Islands Pollock Fishery Under the American Fisheries Act" (RIN0648-AM83), received January 6, 2000; to the Committee on Commerce, Science, and Transportation.

EC-6994. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries off West Coast States and in the Western Pacific; Northern Anchovy/Coastal Pelagic Species Fishery; Amendment 8" (RIN0648-AL48), received January 3, 2000; to the Committee on Commerce, Science, and Transportation.

EC-6995. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Pacific Tuna Fisheries; Harvest Quotas" (RIN0648-AN04), received January 3, 2000; to the Committee on Commerce, Science, and Transportation.

EC-6996. A communication from the Acting Assistant Administrator, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule to Establish a Separate Maximum Retainable Bycatch Percentage for Shortraker and Rougheye Rockfish in the Eastern Regulatory Area of the Gulf of Alaska" (RIN0648-AM36), received December 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC-6997. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pollution Prevention Incentives for Tribes Grant Guidance", received December 31, 1999; to the Committee on Environment and Public Works.

EC-6998. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled "Interim Guidance on the CERCLA Section 101 (10)(H) Federally Permitted Release Definition for Certain Air Emissions"; to the Committee on Environment and Public Works.

EC-6999. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled "Slotted Guideposts at NSPS Subpart Ka/Kb Storage Vessels"; to the Committee on Environment and Public Works.

EC-7000. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled "Closeout Procedures for National Priorities List Sites"; to the Committee on Environment and Public Works.

EC-7001. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled "Section 1018—Disclosure Rule Enforcement Response Policy"; to the Committee on Environment and Public Works.

EC-7002. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled "Environmental Management Review (EMR) National Report: Lessons Learned in Conducting EMRs at Federal Facilities"; to the Committee on Environment and Public Works.

EC-7003. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled "New Source Review (NSR) Sector Based Approach"; to the Committee on Environment and Public Works.

EC-7004. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled "Debt Collection Improvement Act of 1996"; to the Committee on Environment and Public Works.

EC-7005. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled "Quality Assurance Term and Condition"; to the Committee on Environment and Public Works.

EC-7006. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled "Information Collection Requirements"; to the Committee on Environment and Public Works.

EC-7007. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled "Research Misconduct under Assistance Agreements"; to the Committee on Environment and Public Works.

EC-7008. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled "Term and Condition for Year 2000 Compliance"; to the Committee on Environment and Public Works.

EC-7009. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled "National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List"; to the Committee on Environment and Public Works.

EC-7010. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled "Indian Tribes: Air Quality Planning and Management"; to the Committee on Environment and Public Works.

EC-7011. A communication from the Director, Fish and Wildlife Service, Department of the Interior transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants;

Determination of Threatened Status for the Newcomb's Snail (*Erinna newcombii*)", received January 21, 2000; to the Committee on Environment and Public Works.

EC-7012. A communication from the Director, Fish and Wildlife Service, Department of the Interior transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for Two Larkspurs from Coastal California, 'Delphinium bakeri' (Baker's larkspur) and 'Delphinium luteum' (yellow larkspur)" (RIN1018-AE23), received January 21, 2000; to the Committee on Environment and Public Works.

## PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-373. A resolution adopted by the House of the Legislature of the State of Michigan relative to lifetime health care for military retirees; to the Committee on Armed Services.

### HOUSE RESOLUTION NO. 183

Whereas, The men and women who have devoted themselves to military service on behalf of their fellow citizens are entitled to receive the benefits promised them when they began their patriotic service. When these people signed up for the difficult and dangerous work of protecting our country and way of life, they were assured that the country would provide lifetime health care benefits; and

Whereas, This implied contract is not being fulfilled. Upon reaching the age of sixty-five, military retirees lose a significant portion of promised health care due to Medicare eligibility. This situation is made more severe by the fact that many military retirees do not live near military treatment facilities; and

Whereas, Military retirees have significantly less access to health care than other retired federal employees covered under the Federal Employees Health Benefits Program. This is especially true in light of inequities between coverages for pharmaceuticals; and

Whereas, There are proposals under consideration in Congress to rectify this problem and extend to military retirees the benefits they have earned and deserve. In addition, there are pilot projects operating that address the problem by allowing Medicare-eligible retirees to enroll in a program through the Department of Defense. Clearly, there are options available to provide military retirees the care to which they are entitled; Now, therefore, be it

*Resolved by the House of Representatives,* That we memorialize the Congress and the President of the United States to maintain or improve our nation's commitment to military retirees to provide lifetime health care; and be it further

*Resolved,* That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-374. A resolution adopted by the House of the Legislature of the State of Michigan relative to compensation for members of the military reserve and national guard when called to active duty; to the Committee on Armed Services.

### HOUSE RESOLUTION NO. 213

Whereas, the members of the military reserves and National Guard represent a vital

component of our national defense. From the birth of our country, civilian soldiers have made the swift transition to take up arms in our country's times of need. Since the end of the Cold War, our reservists have shouldered a heavier burden as the active military has been reduced; and

Whereas, in recent years, with mobilizations in the Middle East and the Balkan Peninsula, for example, reservists and National Guard units called to active duty have proven invaluable in all facets of military operations. This recent experience has also made it clear that the men and women serving in this role often do so at significant personal costs. This cost includes not only the financial strains on families, but also the burden facing the families and the small business operations that lose the contributions of the person who has donned a military uniform. In situations where the reservist or guard member is a medical professional, for example, several people can be deprived of their livelihoods for an indefinite period of time. This hardship becomes even more severe and long lasting if a business is lost; and

Whereas, some members of Congress, military leadership, and other observers have expressed concern for this future strength of our military as fewer young people pursue military service. In light of these factors, it seems logical to respond appropriately to the genuine needs of those who are already committed to the service of our country through the military. It is important that serious efforts be made to address this of those who are already committed to the service of our country through the military. It is important that serious efforts be made to address this situation swiftly: Now, therefore, be it

*Resolved by the House of Representatives,* That we memorialize the Congress of the United States to provide proper compensation and protection to members of the military reserves and National Guard when called to active duty to safeguard against financial and professional hardships; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-375. A resolution adopted by the House of the Legislature of the State of Michigan relative to disability compensation for military retirees; to the Committee on Armed Services.

#### HOUSE RESOLUTION NO. 214

Whereas, The men and women who devote themselves to our nation's defense through careers in the military provide their fellow citizens with a quality of life and freedom unsurpassed anywhere on earth. This service routinely puts our military personnel at risk for injuries far more threatening than dangers inherent in most civilian professions; and

Whereas, Those pursuing military careers are promised a full retirement upon twenty or more years of active service. In addition to this service, the men and women who have served in the armed forces are sometimes called back into duty during mobilizations; and

Whereas, Currently, a person who becomes eligible for disability compensation as a result of a service-related injury sees retirement benefits reduced by the amount of compensation being paid for the injury. This situation has long been a source of discouragement and frustration for career military personnel. Their unique services and exposure to hardships should be recognized in the law as an indication of the appreciation of our citizens for the risks of military service; and

Whereas, There are measures before Congress to provide that disability payments and retirement benefits can be made concurrently, without deduction from either. This legislation needs to be enacted to keep faith with those to whom our nation has made promises that are an obligation of honor with people who preserve our cherished way of life. Now, therefore, be it

*Resolved by the House of Representatives,* That we memorialize the Congress of the United States to enact legislation permitting military retirees to receive disability compensation for service injuries without any reduction in retirement pay; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-376. A resolution adopted by the House of the Legislature of the State of Michigan relative to quality of and access to health care for veterans; to the Committee on Veterans Affairs.

#### HOUSE RESOLUTION NO. 205

Whereas, With the move to a balanced federal budget, many people are concerned over the impact of increasingly limited funds for vitally important services. An area of special concern is the health care provided to our veterans, especially through the facilities and programs of the Department of Veterans Affairs; and

Whereas, For those who served our country with sacrifice and valor in the Armed Forces, the VA health programs represent a fulfillment of a promise. The programs and facilities are literally a lifeline for many. This promise on the part of our nation—to care for our veterans in their times of need—cannot be forgotten or abandoned. The move to bring austerity and fiscal responsibility to government spending cannot override the needs of the veterans who now rely on us as we relied on them in our nation's times of need; and

Whereas, Funding to care for veterans who have suffered grave injuries must not be jeopardized. Veterans bedridden by injuries and dependent on VA health services have every right to the same level of dedication they gave to America in battles to preserve our way of life. To decrease our financial and emotional commitment to these patriots through inadequate care is wrong. Continuing cutbacks in funding and reductions in service and personal care represent a flawed approach to caring for men and women who have earned our lasting gratitude: Now, therefore, be it

*Resolved by the House of Representatives,* That we memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained or improved; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-377. A petition from the Attorney General of the State of Rhode Island relative to the statutory establishment of an office within the Department of Justice to address violence in families; to the Committee on the Judiciary.

POM-378. A petition from a citizen of the State of Ohio relative to partial-birth abortions; to the Committee on the Judiciary.

POM-379. A petition from a citizen of the State of Ohio relative to partial-birth abortions; to the Committee on the Judiciary.

POM-380. A petition from a citizen of the State of Ohio relative to partial-birth abortions; to the Committee on the Judiciary.

POM-381. A petition from a citizen of the State of Ohio relative to partial-birth abortions; to the Committee on the Judiciary.

POM-382. A petition from a citizen of the State of Ohio relative to partial-birth abortions; to the Committee on the Judiciary.

POM-383. A petition from a citizen of the State of Ohio relative to partial-birth abortions; to the Committee on the Judiciary.

POM-384. A joint resolution adopted by the Legislature of the State of Oregon relative to the 2000 census; to the Committee on Governmental Affairs.

#### HOUSE JOINT MEMORIAL 8

Whereas the Constitution of the United States requires an actual enumeration of the population every 10 years and entrusts Congress with overseeing all aspects of each federal decennial census; and

Whereas the sole constitutional purpose of the federal decennial census is to apportion the seats in Congress among the states; and

Whereas an accurate and legal federal decennial census is necessary to properly apportion seats in the United States House of Representatives among the 50 states and to create legislative districts within the states; and

Whereas an accurate and legal federal decennial census is necessary to enable states to comply with the constitutional mandate of drawing state legislative districts within the states; and

Whereas section 2, Article 1, United States Constitution, in order to ensure an accurate count and to minimize the potential for political manipulation, mandates an "actual Enumeration" of the population, which requires a physical head count of the population and prohibits statistical guessing or estimates of the population; and

Whereas Title 13, Section 195 of the United States Code, consistent with this constitutional mandate, expressly prohibits the use of statistical sampling to enumerate the population of the United States for the purpose of reapportioning the United States House of Representatives; and

Whereas legislative redistricting conducted by the states is a critical subfunction of the constitutional requirements to apportion representatives among the states; and

Whereas the United States Supreme Court, in No. 98-404, Department of Commerce, et al. v. United States House of Representatives, et al., together with No. 98-564, Clinton, President of the United States, et al. v. Glavin, et al., ruled on January 25, 1999, that the Census Act prohibits the Census Bureau's proposed use of statistical sampling in calculating the population of purposes of apportionment; and

Whereas in reaching its findings, the United States Supreme Court found that the use of statistical samplings to adjust census numbers would create a dilution of voting rights for citizens in legislative redistricting, thus violating legal guarantees of "one person, one vote"; and

Whereas consistent with this ruling and the constitutional and legal relationship of legislative redistricting by the states to the apportionment of the United States House of Representatives, the use of adjusted census data would raise serious questions of vote dilution and violate "one vote" legal protections, thus exposing the State of Oregon to protracted litigation over legislative redistricting plans at great cost to the taxpayers of the State of Oregon, and likely result in a court ruling invalidating any legislative redistricting plan using census numbers that have been determined in whole or in part by the use of random sampling techniques or

other statistical methodologies that add persons to or subtract persons from the census counts based solely on statistical inference; and

Whereas consistent with this ruling, no person enumerated in the census should ever be deleted from the census enumeration; and

Whereas consistent with this ruling, every reasonable and practicable effort should be made to obtain the fullest and most accurate count of the population as possible, including employing census counters and providing appropriate funding for state and local census outreach and education programs as well as a provision for post-census local review; and

Whereas census counters have encountered problems entering the United States' 11 most urban areas and counting citizens there; and

Whereas employing additional census counters from within problematic urban areas would provide temporary employment opportunities and increase the accuracy of the data collected in those areas: Now, therefore, be it

*Resolved by the Legislative Assembly of the State of Oregon:*

(1) We call on the United States Census Bureau to conduct the 2000 federal decennial census in a manner consistent with the January 25, 1999, United States Supreme Court ruling and the constitutional mandate, which require a physical head count of the population and bar the use of statistical sampling to create or in any way adjust the count.

(2) We oppose the use of P.L. 94-171 data for state legislative redistricting based on census numbers that have been determined in whole or in part by the use of statistical inferences derived by means of random sampling techniques or other statistical methodologies that add persons to or subtract persons from the census counts.

(3) We demand that the State of Oregon receive P.L. 94-171 data for legislative redistricting identical to the census tabulation data used to apportion seats in the United States House of Representatives consistent with the United States Supreme Court ruling and the constitutional mandate, which require a physical head count of the population and bar the use of statistical sampling to create or in any way adjust the count.

(4) We urge Congress, as the branch of government assigned the responsibility of overseeing the federal decennial census, to take whatever steps are necessary to ensure that the 2000 census is conducted fairly and legally.

(5) A copy of this memorial shall be sent to the President of the United States, the Vice President of the United States, the Majority Leaders of the United States Senate, the Speaker of the United States House of Representatives, the United States Census Bureau and each member of the Oregon Congressional Delegation.

POM-385. A resolution adopted by the House of the Legislature of the State of Oregon relative to child sexual abuse; to the Committee on Health, Education, Labor, and Pensions.

#### HOUSE MEMORIAL 1

Whereas children are a precious gift and responsibility; and

Whereas preserving the spiritual, physical and mental well-being of children is our sacred duty as citizens; and

Whereas no segment of our society is more critical to the future of human survival and society than our children; and

Whereas it is the obligation of all public policymakers not only to support but also to defend the health and rights of parents, families and children; and

Whereas information endangering children is being made public and, in some instances, may be given unwarranted or unintended credibility through release under professional titles or through professional organizations; and

Whereas elected officials have a duty to inform and to counteract actions they consider damaging to children, parents, families and society; and

Whereas Oregon has made sexual molestation of a child a crime; and

Whereas parents who sexually molest their children should be declared to be unfit; and

Whereas virtually all studies in this area, including those published by the American Psychological Association has recently published, but did not endorse, a study that suggests that sexual relationships between adults and "willing" children are less harmful than believed and might even be positive for "willing" children: Now, therefore, be it

*Resolved by the House of Representatives of the State of Oregon:*

(1) The House of Representatives of the Seventieth Legislative Assembly of the State of Oregon condemns and denounces all suggestions in the recently published study by the American Psychological Association that indicate that sexual relationships between adults and "willing" children are less harmful than believed and might even be positive for "willing" children.

(2) The House of Representatives of the Seventieth Legislative Assembly of the State of Oregon urges the President and the Congress of the United States of America to likewise reject and condemn, in the strongest honorable written and vocal terms possible, any suggestions that sexual relationships between children and adults are anything but abusive, destructive, exploitive, reprehensible and punishable by law.

(3) The House of Representatives of the Seventieth Legislative Assembly of the State of Oregon encourages competent investigations to continue to research the effects of child sexual abuse using the best methodology so that the public and public policymakers may act upon accurate information.

(4) A copy of this memorial shall be sent to:

(a) The Honorable Bill Clinton, President of the United States;

(b) The Honorable Al Gore, Jr., Vice President of the United States and President of the United States Senate;

(c) The Honorable Trent Lott, Majority Leader of the United States Senate;

(d) The Honorable J. Dennis Hastert, Speaker of the United States House of Representatives;

(e) The Honorable David Satcher, M.D., Ph.D., Surgeon General of the United States; and

(f) The members of the Oregon Congressional Delegation, including Senators Ron Wyden and Gordon Smith and Representatives David Wu, Greg Walden, Earl Blumenauer, Peter DeFazio and Darlene Hooley.

POM-386. A resolution adopted by the Common Council of the City of Syracuse, New York relative to excessive use of force by police officers and elimination of conflicts of interest within local judicial systems; to the Committee on the Judiciary.

POM-387. A resolution adopted by the General Assembly of a youth cooperative at Luis F. Crespo High School in Camuy, Puerto Rico relative to Vieques Island; to the Committee on Armed Services.

POM-388. A concurrent resolution adopted by the Legislature of the State of New Hampshire relative to Social Security; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION 10

Whereas, Social Security provides American workers and their families with uni-

versal, wage-related and inflation-adjusted benefits in the event of retirement, disability, or death of a wage earner; and

Whereas, without Social Security, approximately 54 percent of the population aged 65 and over would be consigned to poverty; and

Whereas, 98 percent of children under age 18 can count on monthly Social Security benefits if a working parent dies; and

Whereas, Social Security's trustees and administrators have carefully modified the benefit and financing structure to ensure the program's viability in light of demographic and economic developments; and

Whereas, Social Security, without any changes, could pay full benefits until the year 2032 and could pay 75 percent of benefits for decades thereafter; and

Whereas, the long-term solvency of Social Security can be ensured for future generations with measured, timely adjustments to the program made by Congress; and

Whereas, recent volatility in the stock market and overseas financial crises serve as reminders that the current Social Security system continues to provide the most financially stable safety net for American workers; now, therefore, be it

*Resolved by the House of Representatives, the Senate concurring:* That the United States Congress should give priority to preserving Social Security for future generations of Americans so that Social Security will continue to be a universal, mandatory, contributory social insurance system where risk is pooled among all workers; That copies of this resolution, signed by the speaker of the house and the president of the senate, be forwarded by the house clerk to the speaker of the United States House of Representatives, the President the United States Senate, and to each member of the New Hampshire congressional delegation.

POM-389. A resolution adopted by the Board of Chosen Freeholders of Ocean County, New Jersey relative to the dredging of the Brooklyn Marine Terminal and the disposal of dredge materials at the Mud Dump Site; to the Committee on Environment and Public Works.

POM-390. A resolution adopted by the Senate of the Legislature of the Commonwealth of Pennsylvania relative to the 2000 census; to the Committee on Governmental Affairs.

#### HOUSE CONCURRENT RESOLUTION

Whereas, the Constitution of the United States requires an actual enumeration of the population every ten years and entrusts Congress with overseeing all aspects of each decennial enumeration; and

Whereas, the sole constitutional purpose of the decennial census is to apportion the seats in Congress among the several states; and

Whereas, an accurate and legal decennial census is necessary to properly apportion United States House of Representatives seats among the 50 states and to create legislative districts within the states; and

Whereas, an accurate and legal decennial census is necessary to enable states to comply with the constitutional mandate of drawing state legislative districts within the states; and

Whereas, section 2 of Article I of the Constitution of the United States, in order to ensure an accurate count and to minimize the potential for political manipulation, mandates an "actual enumeration" of the population, which requires a physical head count of the population and prohibits statistical guessing or estimates of the population; and

Whereas, the provisions of 13 United States Code §195 (relating to use of sampling), consistent with this constitutional mandate, expressly prohibit the use of statistical sampling to enumerate the population of the United States for the purpose of reapportioning the United States House of Representatives; and

Whereas, legislative redistricting conducted by the states is a critical subfunction of the constitutional requirement to apportion representatives among the states; and

Whereas, the United States Supreme Court, in case No. 98-404, Department of Commerce, et al. v. United States House of Representatives, et al., together with case No. 98-564, Clinton, President of the United States, et al. v. Glavin, et al., 525 U.S. 316 (1999), ruled on January 25, 1999, that 13 United States Code (relating to census) prohibits the Bureau of the Census' proposed uses of statistical sampling in calculating the population for purposes of apportionment; and

Whereas, in reaching its findings, the United States Supreme Court found that the use of statistical procedures to adjust census numbers would create a dilution of voting rights for citizens in legislative redistricting, thus violating legal guarantees of "one-person, one-vote"; and

Whereas, consistent with this ruling and the constitutional and legal relationship of legislative redistricting by the states to the apportionment of the United States House of Representatives, the use of adjusted census data would raise serious questions of vote dilution and violate "one-person, one-vote" legal protections, thus exposing the Commonwealth of Pennsylvania to protracted litigation over legislative redistricting plans at great cost to the taxpayers of this Commonwealth, and would likely result in a court ruling invalidating any legislative redistricting plan using census numbers that have been determined in whole or in part by the use of random sampling techniques or other statistical methodologies that add or subtract persons to the census counts based solely on statistical inference; and

Whereas, consistent with this ruling, no person enumerated in census should ever be deleted from the census enumeration; and

Whereas, consistent with this ruling, every reasonable and practical effort should be made to obtain the fullest and most accurate count of the population as possible, including appropriate funding for state and local census outreach and education programs, as well as a provision for post-census local review; and

Whereas, Federal funding based upon census data determine the state-by-state distribution of nearly \$200 billion in Federal funds each year; therefore be it

*Resolved*, That the Senate of the Commonwealth of Pennsylvania call on the Bureau of the Census to conduct the 2000 decennial census consistently with the aforementioned United States Supreme Court ruling and constitutional mandate, which require a physical head count of the population and which bar the use of statistical sampling to create, or in any way adjust, the count; and be it further

*Resolved*, That the Senate urge the Bureau of the Census to permit a postcensus local review process to ensure an actual enumeration; and be it further

*Resolved*, That the Senate oppose the use of the 2000 decennial census Public Law 94-171 data file for state legislative redistricting based on census numbers that have been determined in whole or in part by the use of statistical inferences derived by means of random sampling techniques or other statistical methodologies that add or subtract persons to the census counts; and be it further

*Resolved*, That the Senate urgently request that it receive the 2000 decennial census Public Law 94-171 data file for legislative redistricting identical to the census tabulation data used to apportion seats in the United States House of Representatives consistent with the aforementioned United States Supreme Court ruling and constitutional mandate, which require a physical head count of the population and which bar the use of statistical sampling to create, or in any way adjust, the count; and be it further

*Resolved*, That the Senate urge the Congress, as the branch of government assigned the responsibility of overseeing the decennial enumeration, to take whatever steps are necessary to ensure that the 2000 decennial census is conducted fairly and legally; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the presiding officers of each House of Congress and to each Member of Congress from Pennsylvania.

POM-391. A resolution adopted by the Senate of the Legislature of the Commonwealth of Pennsylvania relative to the Canadian film industry and the upcoming trade talks with Canada; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION

Whereas, the financial advantages offered to filmmakers by Canada have attracted movie production to Canada, which has had the effect of increased employment in the Canadian film industry, the building of related facilities in Canada and more business for the Canadian vendors who supply movie companies with essential goods and services; and

Whereas, films that would have once been shot in the United States are now being made in Canada; and

Whereas, George Romero, who during a 30-year career has made all but a few of his films, including "Night of the Living Dead," in Pittsburgh, made his most recent movie in Canada, citing Toronto as a filmmaker's paradise; and

Whereas, film industry support groups in the United States are looking at international trade agreements as a way to level the playing field between the United States and Canada with regard to the film industry; and

Whereas, Members of the Congress of the United States are circulating a petition to raise the issue of "runaway production" in upcoming trade talks with Canada; therefore be it

*Resolved*, That the Senate of the Commonwealth of Pennsylvania memorialize Congress to take action to assure that Canadian subsidies and cultural protectionism in the film industry be considered during the upcoming trade talks with Canada; and be it further

*Resolved*, That copies of this resolution be sent to the presiding officers of each House of Congress and to each Member of Congress from Pennsylvania.

POM-392. A joint resolution adopted by the Legislature of the State of Oregon relative to American soldiers and pilots missing from the Korean War; to the Committee on Foreign Relations.

#### SENATE JOINT MEMORIAL 10

Whereas during the Korean War the United States led 20 nations in the defense of South Korea; and

Whereas during the Korean War 5.7 million Americans served in the armed forces of this nation; and

Whereas 54,246 American soldiers were killed in the war, 103,284 were wounded, and 8,177 are still unaccounted for almost 50 years later; and

Whereas those still missing from the Korean War include Oregonians; and

Whereas the families of those missing from the Korean War are entitled to know what happened to their loved ones; and

Whereas the emotional pain of those families cannot end until such knowledge is obtained; and

Whereas many of the families of the missing desire to inter the remains of missing family members in the United States; and

Whereas knowledge of the missing and the recovery of the physical remains of the missing depends upon the cooperation of the Democratic People's Republic of Korea; now, Therefore, be it *Resolved by the Legislative Assembly of the State of Oregon*:

(1) The Congress of the United States and the President of the United States are respectfully requested to use all appropriate legal, diplomatic and economic means to obtain the full cooperation of the Democratic People's Republic of Korea and other nations in resolving the issue of American soldiers and pilots missing from the Korean War.

(2) A copy of this memorial shall be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives and to each member of the Oregon Congressional Delegation.

POM-393. A joint resolution adopted by the Legislature of the State of Oregon relative to a constitutional convention on balancing the federal budget; to the Committee on the Judiciary.

#### SENATE JOINT MEMORIAL 9

Whereas Article V of the Constitution of the United States provides for the proposal of amendments to the Constitution of the United States by two-thirds concurrence of the members of both houses of Congress; now, Therefore, be it

*Resolved by the Legislative Assembly of the State of Oregon*:

(1) The Congress of the United States is respectfully requested to disregard calls for a constitutional convention on balancing the federal budget because there exists no guarantee that a federal constitutional convention, once convened, could be limited to the subject of a balanced federal budget, and therefore such a convention may intrude into other constitutional revisions.

(2) This memorial supersedes all previous memorials from the Legislative Assembly of the State of Oregon requesting the Congress of the United States to call a constitutional convention to propose an amendment to the Constitution of the United States that would require a balanced federal budget, including Senate Joint Memorial 2 (1977), and therefore any similar memorials previously submitted are hereby withdrawn.

(3) A copy of this memorial shall be sent to the Senate Majority Leader and Speaker of the House of Representatives of the United States and to each member of the Oregon Congressional Delegation.

POM-394. A concurrent resolution adopted by the Legislature of the State of Michigan relative to the quality of and access to health care for veterans; to the Committee on Veterans Affairs.

#### SENATE CONCURRENT RESOLUTION NO. 8

Whereas, With the move to a balanced federal budget, many people are concerned over the impact of increasingly limited funds for vitally important services. An area of special concern is the health care provided to our

veterans, especially through the facilities and programs of the Department of Veterans Affairs; and

*Whereas*, For those who served our country with sacrifice and valor in the Armed Forces, the VA health programs represent a fulfillment of a promise. The programs and facilities are literally a lifeline for many. This promise on the part of our nation—to care for our veterans in their times of need—cannot be forgotten or abandoned. The move to bring austerity and fiscal responsibility to government spending cannot override the needs of the veterans who now rely on us as we relied on them in our nation's times of need; and

*Whereas*, Funding to care for veterans who have suffered grave injuries must not be jeopardized. Veterans bedridden by injuries and dependent on VA health services have every right to the same level of dedication they gave to America in battles to preserve our way of life. To decrease our financial and emotional commitment to these patriots through inadequate care is wrong. Continuing cutbacks in funding and reductions in service and personal care represent a flawed approach to caring for men and women who have earned our lasting gratitude; now, therefore, be it

*Resolved by the Senate* (the House of Representatives concurring), That we memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-395. A resolution adopted by the House of the Legislature of the Commonwealth of Pennsylvania relative to the Federalism Act of 1999; to the Committee on Governmental Affairs.

#### HOUSE RESOLUTION NO. 233

*Whereas*, Under the Supremacy Clause of the United States Constitution, if a Federal law or regulation adopted appropriately pursuant to one of the Federal Government's powers conflicts with state law, then Federal law preempts state law; and

*Whereas*, This is as it should be and is as the Framers of the Constitution intended; and

*Whereas*, The problem is that the frequency and pace of Federal preemption of state law has, in recent years, increased dramatically; and

*Whereas*, Today state and local governments find it increasingly difficult to play their traditional role within our system of constitutional federalism; and

*Whereas*, The increasing reliance upon Federal preemption means that the policy jurisdiction of state legislatures and of city and county councils has been lost; and

*Whereas*, When states and localities cannot legislate in response to their citizen's needs because the Federal Government has preempted the policy field, then the capacity for regional and local self-government is lost; and

*Whereas*, The advantages of federalism are that laws will be adapted to local needs and conditions and will reflect regional and community values and that it allows greater responsiveness and innovation through local self-government; and

*Whereas*, The proposed Federalism Act addresses the increasing problem of the preemption of state and local laws by providing Congress with more information about the preemptive impact of legislative proposals,

providing a rule of construction urging the courts to limit findings that preemption is implied where in fact there is neither a direct conflict between state and Federal law nor a clear expression by Congress of its intent to preempt and providing for notice and consultation procedures in the Federal administrative process to encourage Federal agencies to take federalism and preemption issues more fully into account in the course of rulemaking; and

*Whereas*, Preemption must be limited if we are to enjoy the advantages of federalism which foster policymaking respecting America's diversity and a policymaking process which encourages innovation and responsiveness; therefore be it

*Resolved*, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the President of the United States and the Congress to support and approve The Federalism Act of 1999; H.R. 2245 (1999), which comprehensively addresses the Federal preemption of state law with "one-size-fits-all" national policy; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States, the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-396. A resolution adopted by the House of the Legislature of the Commonwealth of Pennsylvania relative to the Individuals with Disabilities Education Act; to the Committee on Appropriations.

#### HOUSE RESOLUTION NO. 227

*Whereas*, The Individuals with Disabilities Education Act (Public Law 91-230, 20 U.S.C. §1400 et seq.) was first enacted in 1970 as the Education of the Handicapped Act (Public Law 91-230, 84 Stat. 175); and

*Whereas*, The Individuals with Disabilities Education Act protects the rights of children with disabilities to be educated in the least restrictive environment through a continuum of appropriate services and placements; and

*Whereas*, Beginning in 1996, educators and lawmakers saw congressional reauthorization as an opportunity to make changes, particularly in the area of giving local school districts more flexibility to reduce costs and to discipline disabled students whose misconduct jeopardizes school safety or unreasonably disrupts classroom learning; and

*Whereas*, Despite the omnibus changes made during the 1997 Individuals with Disabilities Education Act reauthorization, superintendents and local school boards of directors are gravely concerned about potential cost increases related to conforming to the new law and its implementing regulations; and

*Whereas*, Added procedural requirements and timelines and operational difficulties may be encountered by school entities in complying with the new law, particularly its very complex and detailed implementing regulations; and

*Whereas*, Assuring that appropriate procedural safeguards remain in place for the disabled children is expected to further exacerbate the already high per pupil costs for special education; and

*Whereas*, When the Individuals with Disabilities Education Act was created, the Congress of the United States promised to provide 40% of its funding, but the \$4 billion appropriated in fiscal year 1997-1998 paid for less than 9% of the program; and

*Whereas*, The lack of an adequate and appropriate Federal fiscal commitment leaves State and local taxpayers bearing a disproportionate share of the costs to comply with these Federal mandates; therefore be it

*Resolved*, That the House of Representatives memorialize Congress to fully fund its obligations under the Individuals with Disabilities Education Act; and be it further

*Resolved*, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-397. A petition from a citizen of the State of Texas relative to employment discrimination; to the Committee on Health, Education, Labor, and Pensions.

POM-398. A resolution adopted by the House of the Legislature of the State of Illinois relative to the attack on Pearl Harbor; to the Committee on the Judiciary.

#### HOUSE RESOLUTION NO. 440

*Whereas*, December 7, 2001 is the 60th anniversary of the sneak attack on Pearl Harbor by the Japanese Navy and Air Forces on December 7, 1941; and

*Whereas*, On August 23, 1994, President William J. Clinton signed HJ Res 131 National Pearl Harbor Remembrance Day into law; said PL 103-308 urged all to fly the flag of the United States at half staff to honor all those individuals who died as the result of their service at Pearl Harbor on December 7, 1941; and

*Whereas*, There were no appropriate ceremonies, activities, or any press releases to the mass media to inform the general public of PL 103-308; therefore, be it

*Resolved, by the House of Representatives of the Ninety-First General Assembly of the State of Illinois, that in order to commemorate the 60th anniversary of the attack on Pearl Harbor, we urge the Senate and the House of Representatives of the United States of America to enact legislation requiring all governmental posts to fly the flag of the United States at half staff to honor all those individuals who died as the result of their service at Pearl Harbor on December 7, 1941 and urging all Americans to do likewise; and be it further*

*Resolved, That the President of the United States issue a proclamation and press releases to all mass media about PL 103-308 and the aforementioned legislation so that the general public will know of same; and be it further*

*Resolved, That suitable copies of this resolution be forwarded to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the Illinois congressional delegation.*

POM-399. A resolution adopted by the Board of Commissioners of the Borough of Beach Haven relative to the dredging of the Brooklyn Marine Terminal and the disposal of dredge materials at the Mud Dump Site; to the Committee on Environment and Public Works.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and second time by unanimous consent, and referred as indicated:

By Mrs. MURRAY:

S. 2004. A bill to amend title 49 of the United States Code to expand State authority with respect to pipeline safety, to establish new Federal requirements to improve pipeline safety, to authorize appropriations under chapter 601 of that title for fiscal years 2001 through 2005, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BURNS (for himself, Mr. NICKLES, Mr. ROBERTS, Mr. GRAMS, and Mr. ALLARD):